CERTIFICATE OF FILING AND SERVICE

I certify that on the 12th day of January 2024, I e-filed via the WDNY CM/ECF system Plaintiff's Motion to Compel and for Sanctions regarding Non-Party John Evans with attachments and exhibits, which automatically notifies the following counsel:

Hugh M. Russ, III

Email: hruss@hodgsonruss.com

Peter A. Sahasrabudhe

Email: psahasra@hodgsonruss.com

And emailed it to non-party counsel for John Evans at the following:

Rodney O. Personius, Esq.

Personius Melber LLP

2100 Main Place Tower

Buffalo, NY 14202

(716) 855-1050 x101

www.personiusmelber.com

Rodney O. Personius rop@personiusmelber.com

DATED the 12th day of January 2024.

LIPSITZ GREEN SCIME CAMBRIA

By: /s/ Melissa D. Wischerath
Melissa D. Wischerath, Esq.
Of Attorneys for Plaintiff
42 Delaware Avenue, Suite 120
Buffalo, New York 14202-3924
(716) 849-1333